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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number

10/501,386

Filing Date

July 14, 2004

First Named Inventor

Kaoru Kumagai

Art Unit

Not yet assigned

Examiner Name

Not yet assigned

Attorney Docket Number

463P119

**ENCLOSURES (Check all that apply)**

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Fee Transmittal Form                                | <input type="checkbox"/> Drawing(s)                                       | <input type="checkbox"/> After Allowance communication to Group                            |
| <input type="checkbox"/> Fee Attached  | <input type="checkbox"/> Licensing-related Papers                         | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences        |
| <input type="checkbox"/> Amendment/Reply                                     | <input type="checkbox"/> Petition   | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final   | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information   |
| <input type="checkbox"/> Affidavits/declaration(s)                           | <input type="checkbox"/> Power of Attorney, Revocation                    | <input type="checkbox"/> Status Letter   |
| <input type="checkbox"/> Extension of Time Request                           | <input type="checkbox"/> Change of Correspondence Address                 | <input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below):            |
| <input type="checkbox"/> Express Abandonment Request                         | <input type="checkbox"/> Terminal Disclaimer                              | -Form PTO-1449   |
| <input checked="" type="checkbox"/> Information Disclosure Statement         | <input type="checkbox"/> Request for Refund                               | -References cited - 8  |
| <input type="checkbox"/> Certified Copy of Priority Document(s)              | <input type="checkbox"/> CD, Number of CD(s) _____                        | -Copy of the Int. Search Report dated 12/16/03   |
| <input type="checkbox"/> Response to Missing Parts/Incomplete Application    | Remarks   |  |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 |   |  |

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Kevin S. Lemack Niels & Lemack
Signature	
Date	September 14, 2004

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Kevin S. Lemack		
Signature		Date	Sept. 14, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Kaoru Kumagai et al.

Serial No.: 10/501,386

Filed : July 14, 2004

For : SURVEYING INSTRUMENT

Examiner : Not yet assigned

Art Unit : Not yet assigned

Attorney  
Docket No.: 463P119

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

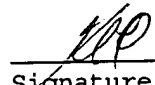
INFORMATION DISCLOSURE STATEMENT

The Examiner is respectfully requested to consider the documents which are listed on the attached form PTO 1449.


The relevance of the references cited are shown in the International Search Report filed herein on July 14, 2004, dated December 16, 2003, which indicates the degree of relevance found by the Japanese Patent Office.

Copies of the documents listed on the attached form are filed herewith.

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Signature: Kevin S. Lemack  
Date: September 14, 2004

Respectfully submitted,

  
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<b>FORM PTO-1449</b> <b>LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT</b>	<b>ATTY. DOCKET NO.</b> 463P119	<b>SERIAL NO.</b> 10/501,386
	Kaoru Kumagai et al.	
	<b>FILING DATE</b> July 14, 2004	<b>GROUP</b> Not yet assigned

**REFERENCE DESIGNATION****U.S. PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA						
	AB						
	AC						

**FOREIGN PATENT DOCUMENTS**

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	BA	3-24971	4/1991	Japan				SR
	BB	6-186036	7/1994	Japan				SR
	BC	7-19874	1/1995	Japan				SR
	BD	8-43098	2/1996	Japan				SR
	BE	11-14357	1/1999	Japan				SR
	BF	11-194018	7/1999	Japan				SR
	BG	11-325891	11/1999	Japan				SR
	BH	2003-185436	7/2003	Japan				SR

**OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)**

CA		Copy of the International Search Report dated 12/16/03
CB		
CC		
<b>EXAMINER</b>		<b>DATE CONSIDERED</b>
<b>EXAMINER: Initial reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance <i>and</i> not considered. Include copy of this form with next communication to applicant.</b>		

SR=Cited in Search Report